

REMARKS:

The claims in the application are 1, 7-9, 15-17, 22-24 and Claims 26-28 added by the present amendment.

Favorable reconsideration of the application as amended is respectfully requested.

Independent Claim 1 has been amended to incorporate recitation from Claims 2 and 6 which have been canceled without prejudice while independent Claim 9 has been amended to incorporate recitation from Claims 10 and 14 which have been canceled without prejudice. Additionally, independent Claims 1 and 9 have been amended to recite the average flat ratio is 1.5-5.0 as found throughout the application text and claims, e.g., in original Claims 3 and 11 as filed. The dependencies of Claims 7, 8, 15 and 16 have been changed to reflect the current amendment, while Claims 8, 16 and 24 have also been amended to recite polyester fiber constituting the woven fabric and Claims 22 and 23 amended to recite polyamide fiber as constituting the woven fabric.

Claim 26 introduced herein is directed to the polyester fiber being polyethylene terephthalate and finds support throughout the present application. The ranges of surface occupancy of warp and weft recited in Claims 27 and 28 find explicit support, e.g., at pages 7-8 of the present application. Additionally, a minor typographical error of filament amount in fabric has been corrected at the first line of Example 2. Accordingly, the only outstanding issue is the art rejection of the claims.

Claims 1, 2, 6-10, 14-17 and 22-25 have all been rejected under 35 U.S.C. §103 as obvious over U.S. Pat. No. 6,387,523 to Bunyan et al in view of U.S. Pat. No. 6,147,017 to Fastenau et al in paragraph 3 of the Office Action. Concerning the Declaration executed by joint inventor Susumu Takagi and submitted with the previous Amendment filed March 31, 2004, it is stated by the Examiner in paragraph 4 of the Office Action:

Applicant's Declaration fails to provide a showing of unexpected results and merely gives [sic] includes statements of biased opinion and are [sic] not given any weight at this time.

Applicants respectfully take issue with this assertion by the Examiner. Firstly, it is respectfully pointed out the previously-submitted Declaration from Susumu Takagi is not merely limited to statements of opinion but explicitly documents the comparative testing presented in Table 1 of the present application, carried out under his direction and control, as contributing to his opinion of the unobviousness of the presently claimed invention over the applied art.

Additionally, a second Declaration executed by joint inventor Susumu Takagi on October 8, 2004 is enclosed for entry into the present application. More specifically, additional comparative testing has been carried out as set forth in paragraph 3 of the enclosed Declaration, namely with an electrically conductive material prepared according to Example 2 set forth in present application (and repeated in paragraph 3 of the enclosed Declaration), and Comparative Examples 2-5 directed to material essentially identically prepared except having either warp or weft surface occupancy outside the claimed ranges.

The comparative test results are reported in Table 2 on page 4 of the enclosed Declaration. Examples 1 and 2 and Comparative Example 1 correspond to the test results set forth in Table 1 on page 17 of the present application, with additional information concerning yarn denier/filament number, density, cover factor and average flat ratio of filament set forth within the heavy black lines in these first three columns. The properties and features of Comparative Examples 2-5 are set forth in the last four columns of Table 2 of the enclosed Declaration, also within the heavy black lines.

As documented by the comparative testing set forth in Table 2 and commented upon at the top of page 5 of the enclosed Declaration, EMI shielding performance is significantly improved over a wide range of frequencies with the inventive material possessing the claimed combination of warp and weft surface occupancy, as opposed to comparative chemically-plated fabric which does not possess this specific combination of warp and weft surface occupancy. Clearly, the testing set forth in the enclosed Declaration compares the closest prior art.

Therefore, in light of the comparative testing set forth in both the presently and previously-submitted Declarations executed by joint inventor Susumu Takagi, it is emphatically asserted the distinctions of the presently claimed invention over the applied art cannot at all be merely dismissed as merely "statements of biased opinion." Accordingly, the arguments raised in both the previously-submitted Declaration and Amendment filed March 31, 2004, are respectfully incorporated by reference herein.

In this regard, it is respectfully pointed out neither Bunyan et al nor Fastenau et al disclose specific surface occupancy of both warp and weft. Accordingly,

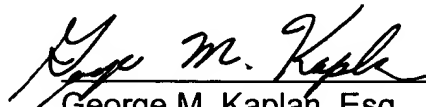
since both these references are silent on these specific features, any possible combination of this art clearly fails to suggest the presently claimed invention and accompanying advantages attained thereby, as explicitly documented in the comparative testing presented in both Declarations executed by joint inventor Susumu Takagi.

The remaining art of record has not been applied against the claims and will not be commented upon further at this time.

Accordingly, in view of the forgoing amendment, accompanying remarks, and both Declarations executed by joint inventor Susumu Takagi, it is respectfully submitted all claims pending herein are in condition for allowance. Please contact the undersigned attorney should there be any questions. A petition for an automatic one month extension of time for response under 37 C.F.R. §1.136(a) is enclosed in triplicate together with the requisite petition fee.

Early favorable action is earnestly solicited.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "George M. Kaplan", is written over a horizontal line.

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